

**Minutes of Meeting
Grafton Planning Board
March 24, 2014**

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A regular meeting of the Grafton Planning Board was held on March 24, 2014 in the Finance Committee Meeting Room at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman David Robbins, Vice-Chair Michael Scully, Clerk Edward Prisby, Robert Hassinger, Sargon Hanna and Associate Member Mathew Often. Staff present was Town Planner Joseph Laydon and Assistant Planner Ann Morgan.

Chairman Robbins called the meeting to order at 7:00 p.m.

ACTION ITEM 1-A – DESIGNATE PLANNING BOARD MEMBER AS REPRESENTATIVE TO THE OPEN SPACE PLAN COMMITTEE

Mr. Laydon informed the Board that the Open Space Plan expires in August, that an Open Space & Recreation Committee has been created and that the Planning Board has been asked to appoint a representative to the committee.

Mr. Hanna offered to represent the Planning Board on this committee.

MOTION by Mr. Hassinger, **SECOND** by Mr. Scully, to designate Mr. Hanna as the Planning Board representative to the Open Space Plan Committee. **MOTION** carried unanimously 3 to 0.

ACTION ITEM 1-B – REQUEST FOR PLANNING BOARD DETERMINATION & APPROVAL FOR MINOR MODIFICATION TO REPLACE/REMOVE T-MOBILE EQUIPMENT FOR SPECIAL PERMIT (SP 2007-1) INDUSTRIAL TOWER & WIRELESS LLC (APPLICANT) – T-MOBILE (CO-APPLICANT) – ROGER ELLIS (PROPERTY OWNER) – 160R UPTON STREET – AMBER DEBOLE, TOWER RESOURCE MANAGEMENT, PETITIONER

Ms. Debole, agent for T-Mobile, informed the Board that T-Mobile is requesting approval to exchange six existing antennas for six newer models, installation of a GPS antenna, and to run fiber cable up the monopole. Ms. Debole noted they will be removing old equipment from the monopole, which will actually leave less equipment on the tower.

MOTION by Mr. Hassinger, **SECOND** by Mr. Scully, to determine the request is a minor modification and to approve the modification as submitted. **MOTION** carried unanimously 4 to 0.

Chairman Robbins received unanimous consent to table the Agenda Discussion Item – ZBL Revisions to later in the meeting.

STAFF REPORT

Mr. Laydon stated that Staff continues to work on coordinating Affordable Housing with other departments, including tracking all the 40-B projects and streamlining the process.

Mr. Laydon remarked that he had met with Rosemary Scrivens of the Massachusetts Office of Business Development to discuss business opportunities in Grafton and what businesses were looking for to locate in cities and towns.

Mr. Laydon noted that he also had met with Gene Bernat regarding what was happening with the Fisherville Mill Development.

Ms. Morgan informed the Board that she was working on creating a database and updating the Comprehensive Plan. Ms. Morgan also stated that the Mill Villages Park brick program will reach its second round deadline on April 4.

Mr. Prisby joined the Planning Board at 7:15p.m.

BILLS

The bills were circulated and signed.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Hanna, **SECOND** by Mr. Hassinger, to approve the regular session minutes of March 10, 2014 with the corrections noted. **MOTION** carried unanimously 5 to 0.

REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC

Mr. Hanna stated there will be a Special Town Meeting on April 7 regarding the use of CPC funds for the renovation of the Grafton Town House, adding that CPC has scheduled a public hearing on Thursday, March 27 at 7:00 p.m. to present a better understanding of their funding of this project.

Mr. Scully informed the Board that Mr. Laydon will attend the next Economic Development Committee to have a better knowledge of what the Committee is doing and how to develop a better sharing of information between the Planning Board and the EDC.

DISCUSSION ITEM 2-B – ZBL REVISIONS: SIGN BY-LAW WORKSHOP

Chairman Robbins asked the Board how they wanted to proceed with the ZBL revisions. The Board was unanimous in wanting to clear up the inconsistencies and ambiguity creating many gray areas within the By-Law, specifically the clarification/separation of Temporary and Portable signs.

PUBLIC HEARING

SPECIAL PERMIT (MRSP 2013-9) CASA BUILDERS & DEVELOPERS CORP. (APPLICANT) – MAINTANIS REALTY TRUST (MAP 97, LOT 22A) AND WILLIAM J. & MARY J. MAINTANIS & STEPHEN A. WILSON (MAP 98, LOT 2), (OWNERS)

Chairman Robbins opened the public hearing. Present for the meeting were Engineer John Grenier of J. M. Grenier Associates and Julie Venincasa of Casa Builders & Developers Corp.

Mr. Grenier informed the Board he had submitted full size plan sets to Graves Engineering as part of the Board's discussion at the last public hearing. Mr. Grenier pointed out that some items will be ironed out in the Definitive Plan process, which is the focus of locking into a lot count in order to proceed to the Definitive level. Mr. Grenier submitted to the Board his response comments to the Graves Engineering review comments and presented an overview, noting that most were minor in nature. Mr. Grenier inquired how the Planning Board process works for the plan selection. Mr. Hassinger stated that he was not convinced that the open space associated with the Flexible plan is valuable land; and considering the current budget situation, may result in him leaning towards the Conventional plan with fewer lots. The Board discussed there was some ambiguity on whether the submission of a Community Impact study is with the Special Permit or the Definitive submission. Mr. Laydon clarified this point stating that Section 3.2.4.5 of the Subdivision Rules & Regulations for a Preliminary Plan requires submission of an Environmental & Community Impact Analysis meeting the requirements of Section 3.3.4.1 of the Subdivision Rules & Regulations. Mr. Hassinger asked about the submission of a Land Use plan. Mr. Grenier noted it had been submitted with the original application, showing that the lions share of open space is in the northern section. Mr. Hassinger asked what has been proposed for the ownership/control of the open space. Mr. Grenier stated that would be to the Board's discretion. Mr. Grenier asked the Board if he could meet with Staff to review what further needs there were to meet all of the submittal requirements. Chairman Robbins noted that the Conventional Plan appears to meet the requirements. Mr. Often inquired about the questions concerning roadway width. Mr. Laydon stated the Fire Department requests 26 feet as the standard dimension, but he will speak with the Fire Department to get a better understanding as to why they require the 26 foot width. Mr. Hassinger added that he has received feedback in the past from Town officials concerning roadways being too narrow, specifically when cars are parked on both sides of the street. Mr. Laydon stated he will be driving around Town with Jeff Walsh viewing subdivisions and will get a better picture of those roadways which may be a problem.

Chairman Robbins asked for public comment. The abutters requested the plan be turned more towards them so that they could view the plan.

Kevin Wajer of 94 Pleasant Street asked to see where the sewer line will run and expressed concerns of how it will affect him monetarily. Mr. Wajer noted he was happy with his well and septic system and asked if the Town would be connecting him to the sewer line as he would not want to incur these expenses. Mr. Wajer also noted that his driveway was close to the proposed entrance of the subdivision and that when pulls out of his driveway, he is unable to see the traffic coming down Pleasant Street due to the significant gradient in the roadway.

Lee Kaufman of 96 Pleasant Street expressed concerns of near accidents resulting from the poor sight line and visibility pulling out onto Pleasant Street.

Mr. Hassinger suggested it was probably time for the Board to make a field visit to physically view the sight lines on Pleasant Street with regard to the access roadway to the subdivision.

Mr. Kaufman also asked for more information concerning the sewer betterment discussion with Mr. Wajer. The Board noted they could not answer those questions and directed those interested to contact Paul Cournoyer in the Sewer Department for further information.

James Holland of 6 Gristmill Road expressed concerns of the safety of Pleasant Street being compromised if the Planning Board's 600 foot standard for the roadway intersections is reduced by one-third. Mr. Holland added that Gristmill Road is arguably the most dangerous road in Town.

Mr. Scully suggested the Board may want to be assured of enforcement of removal of structures in the right of way by the owner of the property at the corner of Gristmill Road & Pleasant Street prior to granting the Special Permit.

Mr. Grenier remarked that the owners are definitely amenable with the Planning Board to make the improvements required to improving the safety in the area and have made commitments to work with the mitigation of the sight line issues.

Mr. Hassinger suggested Staff have the Highway and Engineering Departments take a look at the areas requiring mitigation.

Chairman Robbins stated the Board needs to find out what alternatives are available to deal with this issue since the Town has been unable to resolve it in the past. Mr. Scully added that if the Board finds out that the Town definitely can't remedy the problem and the applicant can, that puts things in a different light.

Mr. Laydon informed the Board that he will involve Brian Szczurko and DPW in the discussion of the issue and then have a dialog with John Grenier concerning what can be done realistically to deal with the corner of Gristmill Road and Pleasant Street. Mr. Hassinger added that if the Town can't do anything, it makes it easier to vote for a waiver request for the subdivision.

Mr. Kaufman expressed concerns that mitigation at the corner will make the situation much worse as the distance to the intersection is one-third shorter than the required 600 feet.

Chairman Robbins announced that the Planning Board needs to be satisfied on all traffic safety issues for the roadways after review of the best information available that the intersection meets all safety requirements.

Chairman Robbins asked the Board if they wanted to make a recommendation for the Flexible or Conventional plan. Mr. Hassinger pointed out that if more information becomes available to the Board, he might be inclined to recommend the Flexible plan.

Mr. Laydon added that there are significant issues with the Conventional plan due to the shapes and sizes of the lots, and specifically the trespassing issue related to the open space configuration. Mr. Laydon suggested looking into how this open space could be connected to the adjacent open space off Christopher Drive and what maintenance options are available.

Chairman Robbins stated that he would rather not have the Planning Board make a decision on incomplete information and would suggest the applicant request a continuance to see if more information can be identified.

MOTION by Mr. Hanna, **SECOND** by Mr. Scully, to accept the applicant's written request to continue the public hearing to Monday, April 14, 2014 at 7:30 p.m. **MOTION** carried unanimously 5 to 0.

Chairman Robbins received unanimous consent to return to Discussion Item 2-A.

DISCUSSION ITEM 2-A ZBL CHANGES

Mr. Robbins noted that Mr. Laydon had gone through the sign by-law including the definitions and prepared a red lined document with the comments received from both he and Mr. Hassinger. Given that the hearing on Gristmill Village went longer than anticipated, Mr. Robbins suggested that the Board table a lengthy discussion on the draft changes. It was noted that the changes red lined reflect "structural" issues such formatting, punctuation, editorial, etc., that could be addressed in advance of the Board's discussion on the more substantive issues. Mr. Robbins suggested that the Board review the prepared materials and submit comments to Mr. Laydon.

Mr. Hassinger agreed, noting that the structural issues should be addressed first and then move on to the substantive issues such as Section 4.4.2.5(8). He noted that he would like to see the last paragraph in that item be made into its own, stand alone item reduce confusion about the 2 ½ foot to 7 foot opening required in free standing signs. Mr. Laydon noted that he would like an opportunity to be learn more about the history of the intent of this rule (buffer, set back, etc) to better assess changes to the ZBL. Mr. Scully noted that there was a need to address the issue and definition of "pole" as it relates to this rule. Other issues included addressing the need for motorist sight lines, possibly by using a sight triangle standard. Mr. Hanna added that they needed to address the rule as it relates to grade using the Unibank sign as an example. Mr. Laydon noted that he would research performance standards for sight lines. Mr. Hassinger noted that the standard to apply to signage in all districts.

MOTION by Mr. Hanna to adjourn the meeting. Chairman Robbins stated that he would not recognize the motion.

Mr. Robbins summarized what he felt was the best way to proceed. First the Board should start with the structural / editorial changes. After that they should proceed with addressing the substantive issues such as the 2 ½ foot to 7 foot area with particular attention to the definition of pole, sight triangle, setbacks and side lot lines; directional signs; what set back rules apply to which types of signs; and additional allowable square footage for signs as they are further set back from the lot line.

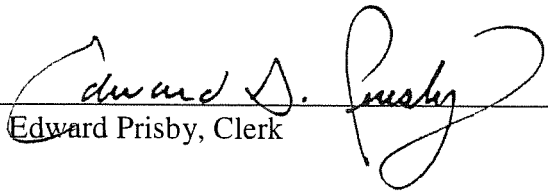
MOTION by Mr. Hassinger, **SECOND** by Mr. Scully, to adjourn the meeting. **MOTION** carried unanimously 5 to 0.

The meeting was adjourned at 9:37 p.m.

EXHIBITS

- **Action Item 1B: Request for Planning Board Determination & Approval for Minor Modification to replace/remove T-Mobile equipment** for Special Permit (SP 2007-1) Industrial Tower & Wireless LLC (Applicant) – T-Mobile (Co-applicant) – Roger Ellis (Property owner) – 160R Upton Street – Amber Debole, Tower Resource Management, Petitioner
 - Correspondence form T-Mobile, Request for Minor Modification Request Replace/ Remove T-Mobile Equipment at 160 & 160R Upton Street, Grafton, MA (T-Mile Site #4WL0904F); dated March 4, 2014, received March 6, 2014, 1 page.
 - Plan set, 11" x 17", black & white; Site Name: WL904/ICE Grafton Center; prepared by Advanced Engineering Group; dated February 5, 2014, received March 6, 2014; includes the following sheets:
 - o T-1Title Sheet
 - o GN-1 ..General Notes
 - o A-1Elevation & Antenna Plan
 - o A-2Elevation & Antenna Plan
 - o A-3Details
 - o G-1Grounding, One-Line Diagram & Details
 - Decision, Grafton Planning Board; Special Permit (SP2007-1) & Site Plan Approval, Wireless Communication Facility, 160R Upton Street, Grafton, MA; dated June 22, 2007; 11 pages.
- **Item 3 – Staff Report**
 - Memorandum from Town Planner, Staff Comments for March 24th Planning Board meeting, 2 pages.
 - Sign definitions and By-Law for March 24th Workshop w/ Comments, 15 pages.
- **Item 5 – Minutes of Previous Meeting**
 - Draft Meeting Minutes, Grafton Planning Board, March 10, 2014; 7 pages.
- **Public Hearing 9A: Special Permit (MRSP 2013-9) Casa Builders & Developers Corp. (Applicant) – Maintanis Realty Trust (Map 97, Lot 22A) and William J & Mary J Maintanis & Stephen A. Wilson (Map 98, Lot 2), (Owners) – Application for a Major Residential Special Permit for a Residential Development on property located at 4 Gristmill Road & 102 Pleasant Street. (Con't from 01/27/14)**
 - Correspondence from J.M. Grenier Associates, Inc., Major Residential Development Special Permit, "Gristmill Village"; dated March 12, 2014, received March 13, 2014; 1 page.
 - Plan set, 24" x 36", black & white; Gristmill Village, Major Residential Development, Flexible Development Plan; prepared by J.M. Grenier Associates, Inc., dated October 10, 2013, revised March 12, 2014; received March 13, 2014; 2 sheets as follows:
 - o Layout and Materials Plan 1/2
 - o Layout and Materials Plan 2/2

- Plan set, 24" x 36", black & white; Gristmill Village, Major Residential Development, Conventional Development Plan; prepared by J.M. Grenier Associates, Inc., dated October 10, 2013, revised March 12, 2014; received March 4, 2014; 9 sheets as follows:
 - o Cover Sheet (1 sheet)
 - o Existing Conditions Survey Plan (2 sheets)
 - o Layout and Materials Plan (2 sheets)
 - o Grading and Drainage Plan (1 sheet)
 - o Utility Plan (1 sheet)
 - o Roadway Profile Plan (2 sheets)
- Correspondence from Graves Engineering, Gristmill Village Preliminary Plan and MRDSP Review; dated and received March 20, 2014; 6 pages.
- Correspondence from J. M. Grenier Associates, Inc., Major Residential Development Special Permit, "Gristmill Village"; dated March 24, 2014, submitted by the Applicant during the March 24, 2014 public hearing; 6 pages.


Edward Prisby, Clerk

